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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

AMANDA FRLEKIN and DEAN PELLE on behalf
 of themselves and all others similarly situated,

Plaintiffs,

v.

APPLE INC., a California corporation,

Defendant.

ADAM KILKER and BRANDON FISHER on
 behalf of themselves and all others similarly
 situated

Plaintiffs,

v.

APPLE INC., a California corporation,

Defendant.

CASE NO. 13-cv-3451-WHA

**RESPONSE TO ORDER TO SHOW
 CAUSE, STIPULATION
 REGARDING FILING OF
 AMENDED COMPLAINT AND
 CONSOLIDATION OF ACTIONS
 AND ~~PROPOSED~~ ORDER**

CASE NO. 13-cv-3775-WHA

RESPONSE TO ORDER TO SHOW CAUSE, STIPULATION REGARDING FILING OF
 AMENDED COMPLAINT AND CONSOLIDATION OF ACTIONS AND ~~PROPOSED~~ ORDER

Case No. 13-cv-3451-WHA

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the above parties,

as follows:

- 1) Plaintiffs in the action captioned *Frlekin v. Apple, Inc.*, Case No. 13-cv-3451-WHA (the “*Frlekin* action”) shall file their First Amended Complaint, a copy of which is attached hereto as Exhibit A, within 5 days of the Court’s issuance of the Order on this stipulation.
- 2) The new caption in the *Frlekin* action shall be:

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AMANDA FRLEKIN, DEAN PELLE, ADAM
KILKER and BRANDON FISHER on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

APPLE INC., a California corporation,

Defendant.


CASE NO. 13-cv-3451-WHA

- 3) Defendant shall file its Answer to the First Amended Complaint within 21 days from date that the First Amended Complaint is filed.
- 4) The *Frlekin* action and the action captioned *Kilker v. Apple, Inc.*, Case No. 13-cv-3775-WHA (the “*Kilker* action”) are hereby consolidated for pretrial and trial proceedings before this Court pursuant to Federal Rule 42(a).
- 5) All future filings in the actions shall be filed only in the *Frlekin* action with the *Frlekin* action case number and the *Frlekin* action caption.
- 6) The parties shall be governed by the Case Management Order in the *Frlekin* action entered by the Court on October 17, 2013.
- 7) Apple has separately filed a motion to consolidate the *Frlekin* and *Kilker* actions with the *Taylor Kalin v. Apple, Inc.* lawsuit, Northern District of California, Case No. 13-CV-

04727-WHA. Nothing in this Stipulation is intended to modify or limit Apple's motion to also have the *Kalin* lawsuit consolidated.

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~~PROPOSED~~ ORDER

Good cause appearing, the parties' stipulation regarding filing of the Amended Complaint and consolidation of the actions is adopted and IT IS SO ORDERED.

Dated: December 13 2013


WILLIAM H. ALSUP
United States District Court Judge